

MILITARY SERVICE AND DUAL NATIONALITY

Convention signed at Bern November 11, 1937

Senate advice and consent to ratification June 13, 1938

Ratified by the President of the United States July 5, 1938

Ratified by Switzerland November 18, 1938

Ratifications exchanged at Bern December 7, 1938

Entered into force December 7, 1938

Proclaimed by the President of the United States December 13, 1938

53 Stat. 1791; Treaty Series 943

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND SWITZERLAND RELATIVE TO MILITARY OBLIGATIONS OF CERTAIN PERSONS HAVING DUAL NATIONALITY

The President of the United States of America
and

the Swiss Federal Council,

animated by the desire of regulating the military obligations of certain individuals possessing both American and Swiss nationality, have resolved to conclude a convention to that effect and have named as their Plenipotentiaries:

The President of the United States of America:

Mr. Leland Harrison, Envoy extraordinary and Minister plenipontentiary of the United States of America, in Berne;

The Swiss Federal Council:

Mr. Giuseppe Motta, President of the Confederation, Chief of the Federal Political Department,

who, after having exchanged their full powers, found in good and due form, have agreed upon the following provisions:

ARTICLE 1

A person, born in the territory of one of the two Parties, of parents who are nationals of the other, who possesses the nationality of these two States and has his habitual residence in the State of his birth, shall not be held liable by the other State for military service or for payment of taxes in lieu thereof,

even in the case of a temporary stay in the territory of the latter State. However, if this stay is protracted beyond the period of two years, it shall be presumed to be permanent, unless the person can show his intention of returning to his native land shortly after the lapse of this period.

ARTICLE 2

The present convention shall be ratified.

It shall become effective upon the exchange of the instruments of ratification and shall continue in effect for three years. At the end of this time, either of the Parties may denounce it at any time, subject to notice given six months in advance.

In witness whereof, the abovenamed Plenipotentiaries have signed this convention and have hereunto affixed their seals.

Done at Berne, in duplicate, in the English and French languages, the eleventh day of November nineteen hundred and thirty seven.

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| LELAND HARRISON | [SEAL] |
| MOTTA | [SEAL] |